

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STEPHEN OROSS, III	:	
Plaintiff	:	CIVIL ACTION
	:	
v.	:	NO. 21-5032
	:	
	:	
KUTZTOWN UNIVERSITY, <i>et al.</i>	:	
Defendants		

**PLAINTIFF’S MOTION FOR RECONSIDERATION
OF THE COURT’S JULY 25, 2023 ORDER ON SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 54 (b), and for all of the reasons set forth below, for good cause, and consonant with the administration of justice, Plaintiff Stephen Oross, III, respectfully moves the Court for Partial Reconsideration of its July 25, 2023 Memorandum and Order on Summary Judgment as follows:

As to the disparate impact claims in Count V, Plaintiff requests that the Court withdraw the entry of summary judgment in favor of the Defendants, and enter summary judgment in his favor;

As to the individual capacity claims for violations of Section 504 in VII & XI, Plaintiff requests that the Court withdraw the entry of summary judgment in favor of the Defendants and restore those claims to the Complaint;

As to the First Amendment retaliation claims in Counts IX & XII, Plaintiff respectfully requests that the court withdraw the entry of summary judgment in favor of the Defendants;

As to the claims for emotional distress damages against Kutztown University which the Court's Order struck from his Complaint, Plaintiff requests that those prayers for remedial relief be restored.

Respectfully submitted,

/s/ Lorrie McKinley

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